EXHIBIT 1

From: North, Evan

Sent: Wednesday, May 8, 2024 10:34 AM **To:** NeidlC@gtlaw.com; ajayne@bgjclaw.com

Cc: Alessi, Robert; Saleski, Courtney; Rosato, Steven; Clark, Carol

Subject: RE: Southwestern Payroll Service, Inc., et al. v. Pioneer Bancorp, Inc., et al., No. 19-

cv-1349 (N.D.N.Y.)

Cyndy and Andrew,

Thank you for confirming that all parties agree to the proposed summary judgment briefing schedule. We will note the parties' agreement on this issue in our letter to the Court.

As to Pioneer's proposals regarding memoranda of law, we have engaged with you over the past week in an effort to reach an agreement on this straightforward issue. We have attempted to explain—in the greatest detail possible but without prejudicing our position—why a different approach to briefing is warranted in this complex case. In our first conversation, I cited the factual and legal complexity of this litigation and explained that the number of claims, the complexity of certain claims (specifically, RICO), and the massive scale of fact and expert discovery would require extensive discussion in any briefing. That said, in an effort to reach a compromise, we carefully considered your reasons for disagreeing with our initial proposal and came back to you with a different proposal for an omnibus brief to streamline the briefing and eliminate unnecessary repetition of core factual background and legal principles.

As we have previously indicated, we aim to provide the Court with the most efficient presentation of the complex issues and facts in this matter. We think the proposal of one omnibus brief will accomplish that task. We disagree with each of your objections to this proposal, but we do not think it would be fruitful for us to continue the meet-and-confer process. We consider the matter joined and will raise this with the Court soon.

Best, Evan

Evan North

Of Counsel

T +1 215 656 2437 F +1 215 606 2061 evan.north@us.dlapiper.com

DLA Piper LLP (US) dlapiper.com



From: NeidlC@gtlaw.com <NeidlC@gtlaw.com>

Sent: Tuesday, May 7, 2024 3:14 PM

To: North, Evan <Evan.North@us.dlapiper.com>

Cc: Alessi, Robert < Robert. Alessi@us.dlapiper.com>; Saleski, Courtney < Courtney. Saleski@us.dlapiper.com>; Rosato, Steven < Steven. Rosato@us.dlapiper.com>; Clark, Carol < Carol. Clark@us.dlapiper.com>; ajayne@bgjclaw.com

Subject: RE: Southwestern Payroll Service, Inc., et al. v. Pioneer Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

▲ EXTERNAL MESSAGE

Evan,

My client agrees on the proposed briefing schedule. However, my client cannot agree to either of your proposals to extend page limits on summary judgment briefs to 80 pages.

During calls on May 1 and 2, you and Steve proposed an 80-page limit on briefs filed in support of or in response to Pioneer's summary judgment motions. At the time, you indicated that Pioneer intends to file two summary judgment motions, one directed to NatPay and the other to Southwestern and Granite. Among the reasons you cited for this extraordinary page limit extension was the length of Plaintiffs' complaints and number of claims asserted by Plaintiffs. You did not otherwise explain why Pioneer believes that it requires more than triple the default number of pages it is entitled to under the local rules. Andrew and I did not agree to this proposal, and we agreed that the meet and confer process had been exhausted.

On May 3, you requested another meet and confer, which occurred yesterday. During that call, you proposed that Pioneer be permitted to file an "omnibus" 80-page summary judgment brief addressed to the three Plaintiffs, and that Plaintiffs be permitted 80 pages, either for one "omnibus" response brief or divided among two or three briefs.

You asked that I set forth the reasons for my client's rejection of your second proposal. They are as follows: First, NatPay is not similarly situated with Southwestern and Granite, and an "omnibus" summary judgment brief will undoubtedly and unnecessarily confuse the facts and issues and will be prejudicial to and impose an undue burden on NatPay. Second, an 80-page brief, which is more than three times the presumptive limit, is unreasonable, whether an "omnibus" brief or not. Third, there is no basis for requiring Plaintiffs to divvy up an allotment of pages, nor for Pioneer to have higher page limits than the Plaintiffs. Each party should be permitted the same number of pages for their summary judgment briefs and responses, and those page limitations should be reasonable. Fourth, an "omnibus" summary judgment brief would likely complicate any appeals. Fifth, a request for a page extension with respect to response briefs is premature, and the request for an 80-page limit for Pioneer's opening brief(s) seems premature and arbitrary, since it is unlikely that Pioneer has attempted to meet the page requirements but has been unable to do so.

I have no objection to Pioneer filing three summary judgment briefs at the presumptive limit of 25 page, and would be willing to agree, in an effort to compromise, to a page limit extension of 30 pages for all parties for summary judgment briefs and responses. I object to Pioneer filing an "omnibus" brief regardless of length.

Please include this email together with any request to the Court but note that <u>I reserve my rights to file a response to</u> your letter request.

Regards,

Cyndy

From: North, Evan < Evan. North@us.dlapiper.com>

Sent: Tuesday, May 7, 2024 10:46 AM

To: Andrew Jayne <a jayne@bgjclaw.com>; Neidl, Cynthia E. (Shld-ALB-LT) < NeidlC@gtlaw.com>

Cc: Alessi, Robert < Robert. Alessi@us.dlapiper.com >; Saleski, Courtney < Courtney. Saleski@us.dlapiper.com >; Rosato,

Steven <Steven.Rosato@us.dlapiper.com>; Clark, Carol <Carol.Clark@us.dlapiper.com>

Subject: RE: Southwestern Payroll Service, Inc., et al. v. Pioneer Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

Dear Andrew and Cyndy,

I write to memorialize our meet-and-confer teleconference of Monday afternoon regarding page limits and a stipulated briefing schedule.

As discussed, Pioneer expects to move for summary judgment against each of the three plaintiffs. Rather than file three separate motions, each with separate 25-page memoranda of law as permitted by Local Rule 7.1(b)(1), Pioneer proposes to file a single, omnibus memorandum of law in support of the three motions for summary judgment. The proposed omnibus brief will not exceed 80 pages in length—a five-page increase in the total pages permitted. Pioneer further proposes that Plaintiffs be permitted to file one or more memoranda of law in opposition not to exceed 80 pages in combined length. Counsel for Plaintiffs would need to coordinate to ensure the combined limit is not exceeded. Finally, Pioneer proposes that the reply brief will not exceed 20 pages.

As to the approach to briefing on Pioneer's motions, Andrew indicated that he would need to confer with Cyndy as well as his client. He represented that he would provide his position on Pioneer's proposal by 12:00 p.m. ET today. Cyndy indicated that she would try to provide her position within the same time frame.

We also discussed whether a joint letter to the Court should include a request by one or more plaintiffs for additional pages on any motion for summary judgment to be filed by plaintiffs. I noted that, on a previous call, Cyndy mentioned that she would want an extra 5 pages. But you did not provide a firm position regarding the number of pages you would seek.

Finally, we agreed that the parties will jointly propose the following schedule for summary judgment briefing:

Motions: June 3, 2024

Responses in Opposition: July 30, 2024

Replies: August 28, 2024

I have attempted to accurately summarize our discussion, but please let me know immediately if you disagree with this summation.

We request that each plaintiff provide a firm response by 2:00 p.m. ET today regarding page limits. If we cannot reach an agreement on this issue, we ask that you each provide your position so that we can present the positions of all parties to expedite the Court's consideration of the issue. In any case, we intend to raise both issues with the Court promptly today.

Thank you.

Evan North

Of Counsel

T +1 215 656 2437 F +1 215 606 2061 evan.north@us.dlapiper.com

DLA Piper LLP (US) dlapiper.com



From: Andrew Jayne <a jayne@bgjclaw.com>
Sent: Monday, May 6, 2024 10:16 AM

To: North, Evan < Evan. North@us.dlapiper.com>

Cc: NeidlC@gtlaw.com; Alessi, Robert < Robert.Alessi@us.dlapiper.com >; Saleski, Courtney

<Courtney.Saleski@us.dlapiper.com>; Rosato, Steven <Steven.Rosato@us.dlapiper.com>; Clark, Carol

<Carol.Clark@us.dlapiper.com>

Subject: Re: Southwestern Payroll Service, Inc., et al. v. Pioneer Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

Λ

EXTERNAL MESSAGE

As I said below, I can commit to 2 PM my time, which would be 3 PM your time. I will probably be finished by 2 PM your time, but not positive.

Andrew Sent from my iPhone

On May 6, 2024, at 9:09 AM, North, Evan < Evan.North@us.dlapiper.com> wrote:

Andrew,

Your description of Pioneer's position regarding page limits on our last call is inaccurate. We did not say we would not agree to anything less than an 80-page limit for each of the two proposed briefs. Rather, our proposal met an immediate impasse because you offered no more than five extra pages.

In any event, we would like to discuss a different approach the parties should be able to agree on. Can you commit to a 2 p.m. ET call this afternoon?

Cyndy, would that work for you?

Thanks, Evan

Evan North

Of Counsel

T +1 215 656 2437 F +1 215 606 2061 evan.north@us.dlapiper.com

DLA Piper LLP (US) dlapiper.com

<image001.png>

From: Andrew Jayne <a jayne@bgjclaw.com>

Sent: Monday, May 6, 2024 9:53 AM

To: North, Evan < Evan.North@us.dlapiper.com>

Case 1:19-cv-01349-FJS-CFH Document 334-1 Filed 05/08/24 Page 6 of 20

Cc: NeidlC@gtlaw.com; Alessi, Robert < Robert.Alessi@us.dlapiper.com >; Saleski, Courtney < Courtney.Saleski@us.dlapiper.com >; Rosato, Steven < Steven.Rosato@us.dlapiper.com >; Clark, Carol.Clark@us.dlapiper.com >

Subject: Re: Southwestern Payroll Service, Inc., et al. v. Pioneer Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

A

EXTERNAL MESSAGE

No, I am not taking a break for this. I was busy last Friday prepping for this deposition, I chose to go to Arkansas this weekend to coach my 14 year old son's baseball team and not look at email, and I am not taking a break in this deposition for something you could have discussed last time we talked when you would not agree to anything less than a 80 page limit. I am happy to talk this afternoon after I get out of this deposition. Pick the time.

Andrew Sent from my iPhone

On May 6, 2024, at 8:40 AM, North, Evan < Evan.North@us.dlapiper.com> wrote:

Andrew,

We could have discussed before your deposition began. Or, if you had replied to my email on Friday afternoon that you expected to be unavailable on Monday morning, we could have found another time to discuss.

This will not take long at all. Are you not able to take a 10-minute break?

Thanks, Evan

Evan North

Of Counsel

T +1 215 656 2437 F +1 215 606 2061 evan.north@us.dlapiper.com

DLA Piper LLP (US) dlapiper.com

<image001.png>

From: Andrew Jayne < ajayne@bgjclaw.com >

Sent: Monday, May 6, 2024 9:34 AM

To: North, Evan < Evan. North@us.dlapiper.com>

Cc: NeidlC@gtlaw.com; Alessi, Robert < Robert.Alessi@us.dlapiper.com >; Saleski,

Courtney < Courtney. Saleski@us.dlapiper.com>; Rosato, Steven

<<u>Steven.Rosato@us.dlapiper.com</u>>; Clark, Carol <<u>Carol.Clark@us.dlapiper.com</u>>

Subject: Re: Southwestern Payroll Service, Inc., et al. v. Pioneer Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

A EXTERNAL MESSAGE

I am in a deposition until 2pm my time. Sent from my iPhone

> On May 6, 2024, at 7:59 AM, North, Evan < Evan. North@us.dlapiper.com > wrote:

Andrew,

Do you have 10 minutes this morning to continue this meet-and-confer? Please let Cyndy and me know.

Thanks, Evan

Evan North

Of Counsel

T +1 215 656 2437 F +1 215 606 2061 evan.north@us.dlapiper.com

DLA Piper LLP (US) dlapiper.com

<image002.png>

From: NeidlC@gtlaw.com < NeidlC@gtlaw.com >

Sent: Friday, May 3, 2024 3:51 PM

To: North, Evan < Evan.North@us.dlapiper.com; ajayne@bgjclaw.com Cc: Alessi, Robert.Alessi@us.dlapiper.com; Saleski, Courtney

< <u>Courtney.Saleski@us.dlapiper.com</u>>; Rosato, Steven

<<u>Steven.Rosato@us.dlapiper.com</u>>; Clark, Carol

<Carol.Clark@us.dlapiper.com>

Subject: RE: Southwestern Payroll Service, Inc., et al. v. Pioneer

Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

▲ EXTERNAL MESSAGE

Good afternoon,

I am available any time on Monday morning.

Regards, Cyndy

From: North, Evan < Evan. North@us.dlapiper.com>

Sent: Friday, May 3, 2024 3:47 PM

To: Neidl, Cynthia E. (Shld-ALB-LT) < NeidlC@gtlaw.com >;

ajayne@bgjclaw.com

Cc: Alessi, Robert < Robert. Alessi@us.dlapiper.com>; Saleski, Courtney

< <u>Courtney.Saleski@us.dlapiper.com</u>>; Rosato, Steven

<Steven.Rosato@us.dlapiper.com>; Clark, Carol

<<u>Carol.Clark@us.dlapiper.com</u>>

Subject: RE: Southwestern Payroll Service, Inc., et al. v. Pioneer

Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

Cyndy and Andrew,

Are you both available to reconvene our meet-and-confer on Monday morning? We would like to discuss this matter further. Please let us know what times work for you.

Thanks, Evan

Evan North

Of Counsel

T +1 215 656 2437 F +1 215 606 2061 evan.north@us.dlapiper.com

DLA Piper LLP (US) dlapiper.com

<image005.png>

From: NeidlC@gtlaw.com <NeidlC@gtlaw.com>

Sent: Tuesday, April 30, 2024 9:01 AM

To: North, Evan < Evan.North@us.dlapiper.com; ajayne@bgjclaw.com <a href="mailto:Ce:Alessi, Robert Robert <a href="mailto:R

< <u>Courtney.Saleski@us.dlapiper.com</u>>; Rosato, Steven

<<u>Steven.Rosato@us.dlapiper.com</u>>; Clark, Carol

<Carol.Clark@us.dlapiper.com>

Subject: RE: Southwestern Payroll Service, Inc., et al. v. Pioneer

Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

♠ EXTERNAL MESSAGE

That time also works for me. Thanks.

From: North, Evan < Evan. North@us.dlapiper.com>

Sent: Monday, April 29, 2024 7:20 PM

To: Andrew Jayne ajayne@bgjclaw.com">; Neidl, Cynthia E. (Shld-ALB-

LT) < Neidl C@gtlaw.com >

Cc: Alessi, Robert < Robert. Alessi@us.dlapiper.com>; Saleski, Courtney

< <u>Courtney.Saleski@us.dlapiper.com</u>>; Rosato, Steven

<Steven.Rosato@us.dlapiper.com>; Clark, Carol

<Carol.Clark@us.dlapiper.com>

Subject: Re: Southwestern Payroll Service, Inc., et al. v. Pioneer

Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

EXTERNAL TO GT

That time works for us.

From: Andrew Jayne ajayne@bgjclaw.com>

Sent: Monday, April 29, 2024 5:19 PM

To: North, Evan < Evan.North@us.dlapiper.com; NeidlC@gtlaw.com

< NeidlC@gtlaw.com>

Cc: Alessi, Robert < Robert. Alessi@us.dlapiper.com>; Saleski, Courtney

<<u>Courtney.Saleski@us.dlapiper.com</u>>; Rosato, Steven

<Steven.Rosato@us.dlapiper.com>; Clark, Carol

<Carol.Clark@us.dlapiper.com>

Subject: RE: Southwestern Payroll Service, Inc., et al. v. Pioneer

Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

♠ EXTERNAL MESSAGE

Evan:

I am jammed up until late afternoon Wednesday. How about 4pm CST Wednesday?

Andrew C. Jayne

<image006.jpg>
BAUM GLASS J

BAUM GLASS JAYNE CARWILE & PETERS

401 S. Boston Ave., Suite 2000

Tulsa, Oklahoma 74103

918-938-7944; 918-938-7966 (fax)

From: North, Evan < <u>Evan.North@us.dlapiper.com</u>>

Sent: Monday, April 29, 2024 4:09 PM

To: Andrew Jayne ; NeidlC@gtlaw.com

Cc: Alessi, Robert < Robert.Alessi@us.dlapiper.com; Saleski, Courtney

<Courtney.Saleski@us.dlapiper.com>; Rosato, Steven

<Steven.Rosato@us.dlapiper.com>; Clark, Carol

<Carol.Clark@us.dlapiper.com>

Subject: Southwestern Payroll Service, Inc., et al. v. Pioneer Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

Dear Andrew and Cyndy,

We would like to schedule a short call to meet and confer regarding a briefing schedule and page limits for summary judgment.

Can you please let us know your availability on Tuesday or Wednesday?

We plan to raise these issues in a letter to the Court by next Monday, May 6. We can discuss on the call whether this will be a joint submission.

Thanks, Evan

Evan North

Of Counsel

T +1 215 656 2437 F +1 215 606 2061 evan.north@us.dlapiper.com **DLA Piper LLP (US)**One Liberty Place
1650 Market Street, Suite 5000
Philadelphia, PA 19103-7300

<image005.png>

dlapiper.com

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From: Andrew Jayne <ajayne@bgjclaw.com>

Sent: Tuesday, May 7, 2024 2:10 PM **To:** North, Evan; NeidlC@gtlaw.com

Cc: Alessi, Robert; Saleski, Courtney; Rosato, Steven; Clark, Carol

Subject: RE: Southwestern Payroll Service, Inc., et al. v. Pioneer Bancorp, Inc., et al., No. 19-

cv-1349 (N.D.N.Y.)

EXTERNAL MESSAGE

Evan:

Pioneer initially asked Plaintiffs to agree to a page extension of 80 pages for a summary judgment brief directed at Southwestern Payroll/Granite and a second 80 page summary judgment brief directed at NatPay. Ms. Neidl and I did not agree to those page extensions. I believe that page extension is unreasonable and creates make work for the parties.

Yesterday, you asked Ms. Neidl and I to agree to a page extension to 80 pages for Pioneer to file one summary judgment brief as to all three Plaintiffs. Southwestern cannot agree to this page extension for a single brief for several reasons. First, the logistical difficulties of filing a single response with NatPay when I do not represent NatPay is untenable. The logistics of coordinating with another law firm to respond to an 80 page brief is not a reasonable request. Second, while NatPay/Southwestern Payroll/Granite are similarly situated in many respects in this case, they are also different in others. Third, I think a joint brief could potentially create appellate issues depending on the Court's ruling and it will potentially confuse matters. While I do not object to Pioneer filing a single brief as to Southwestern Payroll and Granite, both parties which I represent, I cannot agree to a single 80 page brief in which I have to coordinate with counsel for a client that I do not represent on such an important issue as summary judgment.

Further, I still think an 80 page brief is unreasonable. If Pioneer believes it is entitled to summary judgment, they should be able to put that before the court in 25 pages or 30 at the most.

I have no issues with your proposed briefing schedule.

Andrew C. Jayne

BGJCP BAUM GLASS JAYNE CARWILE & PETERS

BAUM GLASS JAYNE CARWILE & PETERS 401 S. Boston Ave., Suite 2000 Tulsa, Oklahoma 74103

918-938-7944; 918-938-7966 (fax)

From: North, Evan < Evan. North@us.dlapiper.com>

Sent: Tuesday, May 7, 2024 9:46 AM

To: Andrew Jayne <ajayne@bgjclaw.com>; NeidlC@gtlaw.com

Cc: Alessi, Robert < Robert. Alessi@us.dlapiper.com>; Saleski, Courtney < Courtney. Saleski@us.dlapiper.com>; Rosato,

Case 1:19-cv-01349-FJS-CFH Document 334-1 Filed 05/08/24 Page 13 of 20

Steven <Steven.Rosato@us.dlapiper.com>; Clark, Carol <Carol.Clark@us.dlapiper.com> **Subject:** RE: Southwestern Payroll Service, Inc., et al. v. Pioneer Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

Dear Andrew and Cyndy,

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Thank you.

Evan North

Of Counsel

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DLA Piper LLP (US) dlapiper.com



2

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Sent: Monday, May 6, 2024 10:16 AM

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<Courtney.Saleski@us.dlapiper.com>; Rosato, Steven <Steven.Rosato@us.dlapiper.com>; Clark, Carol

<Carol.Clark@us.dlapiper.com>

Subject: Re: Southwestern Payroll Service, Inc., et al. v. Pioneer Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

▲ EXTERNAL MESSAGE

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Evan North

Of Counsel

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<image001.png>

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Cc: NeidlC@gtlaw.com; Alessi, Robert < Robert.Alessi@us.dlapiper.com >; Saleski, Courtney

<<u>Courtney.Saleski@us.dlapiper.com</u>>; Rosato, Steven <<u>Steven.Rosato@us.dlapiper.com</u>>; Clark, Carol

<Carol.Clark@us.dlapiper.com>

Subject: Re: Southwestern Payroll Service, Inc., et al. v. Pioneer Bancorp, Inc., et al., No. 19-cv-1349

(N.D.N.Y.)

A EXTERNAL MESSAGE

No, I am not taking a break for this. I was busy last Friday prepping for this deposition, I chose to go to Arkansas this weekend to coach my 14 year old son's baseball team and not look at email, and I am not taking a break in this deposition for something you could have discussed last time we talked when you would not agree to anything less than a 80 page limit. I am happy to talk this afternoon after I get out of this deposition. Pick the time.

Andrew Sent from my iPhone

On May 6, 2024, at 8:40 AM, North, Evan < Evan.North@us.dlapiper.com> wrote:

Andrew,

We could have discussed before your deposition began. Or, if you had replied to my email on Friday afternoon that you expected to be unavailable on Monday morning, we could have found another time to discuss.

This will not take long at all. Are you not able to take a 10-minute break?

Thanks, Evan

Evan North

Of Counsel

T +1 215 656 2437 F +1 215 606 2061 evan.north@us.dlapiper.com

DLA Piper LLP (US) dlapiper.com

<image001.png>

From: Andrew Jayne <a jayne@bgjclaw.com>

Sent: Monday, May 6, 2024 9:34 AM

To: North, Evan < Evan. North@us.dlapiper.com>

Cc: NeidlC@gtlaw.com; Alessi, Robert < Robert. Alessi@us.dlapiper.com >; Saleski,

Case 1:19-cv-01349-FJS-CFH Document 334-1 Filed 05/08/24 Page 16 of 20

Courtney < <u>Courtney.Saleski@us.dlapiper.com</u>>; Rosato, Steven < <u>Steven.Rosato@us.dlapiper.com</u>>; Clark, Carol < <u>Carol.Clark@us.dlapiper.com</u>>

Subject: Re: Southwestern Payroll Service, Inc., et al. v. Pioneer Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

A EXTERNAL MESSAGE

I am in a deposition until 2pm my time. Sent from my iPhone

> On May 6, 2024, at 7:59 AM, North, Evan < Evan.North@us.dlapiper.com > wrote:

Andrew,

Do you have 10 minutes this morning to continue this meet-and-confer? Please let Cyndy and me know.

Thanks, Evan

Evan North

Of Counsel

T +1 215 656 2437 F +1 215 606 2061 evan.north@us.dlapiper.com

DLA Piper LLP (US) dlapiper.com

<image002.png>

From: NeidlC@gtlaw.com < NeidlC@gtlaw.com >

Sent: Friday, May 3, 2024 3:51 PM

To: North, Evan < Evan.North@us.dlapiper.com; ajayne@bgjclaw.com Cc: Alessi, Robert.Alessi@us.dlapiper.com; Saleski, Courtney

< <u>Courtney.Saleski@us.dlapiper.com</u>>; Rosato, Steven

<Steven.Rosato@us.dlapiper.com>; Clark, Carol

<<u>Carol.Clark@us.dlapiper.com</u>>

Subject: RE: Southwestern Payroll Service, Inc., et al. v. Pioneer

Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

A EXTERNAL MESSAGE

Good afternoon,

I am available any time on Monday morning.

Regards, Cyndy

From: North, Evan < Evan. North@us.dlapiper.com>

Sent: Friday, May 3, 2024 3:47 PM

To: Neidl, Cynthia E. (Shld-ALB-LT) < NeidlC@gtlaw.com>;

ajayne@bgjclaw.com

Cc: Alessi, Robert < Robert. Alessi@us.dlapiper.com>; Saleski, Courtney

< <u>Courtney.Saleski@us.dlapiper.com</u>>; Rosato, Steven

<Steven.Rosato@us.dlapiper.com>; Clark, Carol

< <u>Carol.Clark@us.dlapiper.com</u>>

Subject: RE: Southwestern Payroll Service, Inc., et al. v. Pioneer

Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

Cyndy and Andrew,

Are you both available to reconvene our meet-and-confer on Monday morning? We would like to discuss this matter further. Please let us know what times work for you.

Thanks, Evan

Evan North

Of Counsel

T +1 215 656 2437 F +1 215 606 2061 evan.north@us.dlapiper.com

DLA Piper LLP (US) dlapiper.com

<image005.png>

From: NeidlC@gtlaw.com <NeidlC@gtlaw.com>

Sent: Tuesday, April 30, 2024 9:01 AM

To: North, Evan < Evan.North@us.dlapiper.com; ajayne@bgjclaw.com <a href="mailto:Ce:Alessi, Robert Robert <a href="mailto:R

<Courtney.Saleski@us.dlapiper.com>; Rosato, Steven

<<u>Steven.Rosato@us.dlapiper.com</u>>; Clark, Carol

<Carol.Clark@us.dlapiper.com>

Subject: RE: Southwestern Payroll Service, Inc., et al. v. Pioneer

Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

↑ EXTERNAL MESSAGE

That time also works for me. Thanks.

From: North, Evan < Evan.North@us.dlapiper.com>

Sent: Monday, April 29, 2024 7:20 PM

To: Andrew Jayne ; Neidl, Cynthia E. (Shld-ALB-

LT) < NeidlC@gtlaw.com >

Cc: Alessi, Robert < <u>Robert.Alessi@us.dlapiper.com</u>>; Saleski, Courtney

< <u>Courtney.Saleski@us.dlapiper.com</u>>; Rosato, Steven

<Steven.Rosato@us.dlapiper.com>; Clark, Carol

<Carol.Clark@us.dlapiper.com>

Subject: Re: Southwestern Payroll Service, Inc., et al. v. Pioneer

Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

EXTERNAL TO GT

That time works for us.

From: Andrew Jayne <a jayne@bgjclaw.com>

Sent: Monday, April 29, 2024 5:19 PM

To: North, Evan <<u>Evan.North@us.dlapiper.com</u>>; <u>NeidlC@gtlaw.com</u>

<<u>NeidlC@gtlaw.com</u>>

Cc: Alessi, Robert < Robert. Alessi@us.dlapiper.com>; Saleski, Courtney

< <u>Courtney.Saleski@us.dlapiper.com</u>>; Rosato, Steven

<Steven.Rosato@us.dlapiper.com>; Clark, Carol

<Carol.Clark@us.dlapiper.com>

Subject: RE: Southwestern Payroll Service, Inc., et al. v. Pioneer

Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

A EXTERNAL MESSAGE

Evan:

I am jammed up until late afternoon Wednesday. How about 4pm CST Wednesday?

Andrew C. Jayne

<image006.jpg>

BAUM GLASS JAYNE CARWILE & PETERS

401 S. Boston Ave., Suite 2000

Tulsa, Oklahoma 74103

918-938-7944; 918-938-7966 (fax)

From: North, Evan < Evan. North@us.dlapiper.com>

Sent: Monday, April 29, 2024 4:09 PM

To: Andrew Jayne ; NeidlC@gtlaw.com

Cc: Alessi, Robert < Robert. Alessi@us.dlapiper.com>; Saleski, Courtney

< <u>Courtney.Saleski@us.dlapiper.com</u>>; Rosato, Steven

<Steven.Rosato@us.dlapiper.com>; Clark, Carol

<Carol.Clark@us.dlapiper.com>

Subject: Southwestern Payroll Service, Inc., et al. v. Pioneer Bancorp, Inc., et al., No. 19-cv-1349 (N.D.N.Y.)

Dear Andrew and Cyndy,

We would like to schedule a short call to meet and confer regarding a briefing schedule and page limits for summary judgment.

Can you please let us know your availability on Tuesday or Wednesday?

We plan to raise these issues in a letter to the Court by next Monday, May 6. We can discuss on the call whether this will be a joint submission.

Thanks, Evan

Evan North

Of Counsel

T +1 215 656 2437 F +1 215 606 2061 evan.north@us.dlapiper.com **DLA Piper LLP (US)**One Liberty Place
1650 Market Street, Suite 5000
Philadelphia, PA 19103-7300

<image005.png>

dlapiper.com

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